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Greece's crumbling democratic façade

A wiretapping affair has become the Greek Watergate, shaking up the political scene and exposing the country's shift to authoritarianism

This past August, Greek Prime Minister Kyriakos Mitsotakis gave a highly acclaimed speech to the US Congress. He sang the praises of the United States and Greece – and most importantly democracy. Mitsotakis described the two countries' 'shared belief in freedom over tyranny, in democracy over authoritarianism, in the fundamental importance of respect for the rule of law over war and anarchy.' But, he also highlighted the 'need to strengthen our democratic institutions to eliminate the causes of our citizens' anger and mistrust.'

The Greek government, which is only made up of members of the right-wing conservative *Nea Demokratia* (ND) party, presents itself as 'progressive' in addressing citizen grievances. Increased digitalisation, for example, now allows Greeks to quickly settle many administrative procedures online. No longer are lengthy visits to government offices needed. That is impressive. However, ND's claim to be defending a modern, resolute, flawless democracy, whitewashes the government's methodical anti-democratic actions that are giving new meaning to the phrase 'strengthening institutions'.

The Greek authorities' systematic *pushbacks* of migrants has been broadly reported. But *Der Spiegel* magazine's article on how the Greek coast guard has flung asylum seekers back into the sea is worth mentioning. *Der Spiegel* also leaked the entire internal report by the European anti-fraud office, OLAF, on how Frontex has tried to cover up its human rights violations. However, that turns out to not be a specifically Greek practice but rather one that includes actors from across Europe: apparently, strengthening theinstitution means enforcing an isolationist EU policy with no regard for human rights.

The authoritarian tendencies of the Mitsotakis government can be seen in a variety of areas: weakened civil liberties (especially the right to informational self-determination – an individual's control over details of their private life); the parliament's ability to control the government; and

the way the press is treated. In recent years, the Greek government has used legislation and other, more informal methods, place Greece as the last country in Reporters without Borders' press freedom rankings – behind Hungary and Poland. A wiretapping affair could have become the Greek Watergate, shaking up the political scene. Yet, it quietly disappeared from public notice after just a few weeks.

An authoritarian shift

What was *that* all about? Last July, it was revealed that the phone of the Greek social democratic party leader Nikos Androulakis had been tapped by Greek intelligence. An attempt had also been made to install a Predator spy software – which is illegal in the EU – on his mobile phone. So far, so nasty – but not unheard of in European democracies. What followed, however, shows how far authoritarianism has crept into Greek politics.

Long before the Androulakis affair, the first tilt toward authoritarianism was made through restructuring: right after becoming prime minister, Mitsotakis moved Greece's national intelligence service EYP from the interior ministry's control to his. At the same time, the qualification requirements for heading the secret service were lowered. Instead of a master's degree, only a bachelor's degree was required, which, malicious tongues claim, allowed a friend of Mitsotakis to get the job. In addition, the PM's chief-of-staff (and nephew) was put in charge of intelligence, suggesting that Mitsotakis may very well have been aware that his political rival was being tapped. In any case, he was politically responsible for what happened, a fact which the media has hardly mentioned.

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The second authoritarian shift infringed the EU civil liberty regarding informational self-determination in the name of ensuring 'national security'. A member of the European Parliament, Androulakis only learned of his phone tap in July 2022, when an EP service checked his phone. Greek authorities didn't have to inform him due to an amendment enforced in spring 2021, which abolished the requirement to inform affected parties that they're being tapped for 'national security reasons'. Androulakis is but one example of many: In 2020, 13 751 surveillances were conducted because of such concerns and it's likely that in 2021, there were even more. In contrast, only 3 190 surveillance cases linked to

criminal prosecutions were registered in 2020.

Thirdly, the affair lacks both parliamentary and legal clarification (reminiscent of the scandalous handling of evidence on how Germany's federal intelligence was mixed up with the NSU, a neo-Nazi group that murdered nine people with a migratory background between 1999 and 2006. It's true that in the wake of the scandal, the head of intelligence, Panagiotis Kontoleon, and PM chief-of-staff, Grigoris Dimitriadis lost their jobs and a parliamentary committee was created to investigate the case. But it made no semblance of working seriously and before the first hearing, the file on Androulakis's surveillance was destroyed. Yet that led to neither a lengthy outcry nor an investigation by the Greek press. The parliamentary fact-finding committee did not react either.

The committee didn't even invite former secret service chief Kontoleon and chief-of-staff Dimitriades to comment on the surveillance or the destruction of the files. Instead, the *former* head of intelligence was questioned about previous governments' spying practices – to show that the left-wing SYRIZA party's government had also spied: an obvious effort to normalise the crime and deflect attention from the current case. Moreover, not one person associated with the use of spyware was summoned to appear before the committee.

As for the political actors linked to the case, only victim Nikos Androulakis was heard, and after just four weeks, the ND parliamentary majority declared the investigation closed. Opposition politicians are seeking to have the investigation continued in court. But there is no official investigation into Intellexa, the company that distributes the Predator spyware in Greece, and none about how widely Predator is being used in the country.

Instead, former chief-of-staff Dimitriades sued media outlets for spreading fake news about him, using a law from November 2021, which observers view as yet another tool to restrict press freedom. The regulation criminalises spreading fake news 'likely to alarm or frighten the public or undermine public confidence in the national economy, the country's ability to defend itself or public health' with a penalty of up to five years in prison.

Censoring the journalists

Observers fear this means the end of critical reporting and investigative journalism (as the Dimitriadis case seems to confirm) and will result in more self-censorship by journalists and the media. First the carrot, then the stick. The news website Politico reports that already poor conditions

for independent reporting have worsened since the beginning of the pandemic. State funding – including for a pandemic awareness campaign – has only been awarded to media that toe the line. Critical journalists are subjected to pressure or bugged.

The murder of Giorgos Karaivaz gives an idea of the poor and dangerous conditions for journalists working in Greece. A well-known investigative journalist who specialised in crime, Karaivaz was shot in the street by hit men in April 2021. The slow – some say delayed – handling of the case shows that little effort is made to ensure the protection of journalists in Greece. In contrast, after Dutch crime reporter Peter de Vries was murdered, three months later suspects were quickly caught and put on trial in June 2022.

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Given the restrictions imposed on the Greek press, it's no surprise that the mainstream media were slow to react to the murder – and then handled it with kid gloves. They made little effort to link Mitsotakis to the case. Media insiders agree that under a leftist government, the media would have pursued the case more quickly and aggressively.

In the end, the government will be measured by its own standards – and the results are meagre. The right-wing conservative government seems to interpret its role of defending democracy as reinforcing the status quo in an increasingly authoritarian manner, 'strengthening the institution' by shielding it from all criticism. The Mitsotakis government does not deal with social imbalances and problems by eliminating them. Instead, it seeks to prevent journalists reporting on anything that disturbs the image of a successful, modern and untainted government.

A democratic government is expected to support critical journalism even when individual investigations are unfavourable, and to admit and address problems. Inhibiting criticism in order to present a perfect government with a glossy veneer that sheds criticism like rainwater is anything but democratic. Now the opposition has to show that it doesn't just talk the talk but can also walk the walk. Their chance is coming soon – in spring 2023, parliamentary elections will be held in Greece.

This article was originally published on 25.10.2022. On 07.11.2022 the Greek government banned the use of spyware against prominent politicians and – following public pressure – will discuss a bill today, called 'largely cosmetic' by observers,to better protect citizens against surveillance by the secret services.



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